

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:
Susan L. Childers : Case No. 16-24725-GLT
Debtor(s) : Chapter 13
Ronda J. Winnecur, Trustee : Related to Doc.17 and Claim No. 6
Movant(s) :
vs.
Bayview Loan Servicing, LLC :
Respondent(s) :

OBJECTION TO 02/02/2017 AND 05/19/2017 NOTICE OF POSTPETITION
MORTGAGE FEES, EXPENSES, AND CHARGES AT CLAIM 6

Ronda J. Winnecur, Chapter 13 Trustee, by her undersigned counsel,
respectfully represents the following:

1. Trustee files this objection because the post-petition charges dated 02/02/2017 (at Doc 17) and 05/19/2017 (at Claim 6) (the "PPFNs"). The PPFNs were for an objection to the filed plan at \$500 (incurred 1/30/17) and for the filing of the proof of claim at \$400 (incurred 5/10/17), both of which predated the effective date (10/1/17) of a loan modification (approved on November 28, 2017, at Doc 77). As far as Trustee can tell, the loan modification did expressly address the PPFNs.

2. The post-petition charges remain of record.

3. Trustee believes that absent evidence to the contrary, the post-petition charges have been satisfied by the approval of the loan modification and the charges should be disallowed.

4. To be clear, this is not an objection pursuant to Rule 3002.1(e) with respect to the original filing, but rather an objection based on the claim having

been deemed paid or otherwise resolved by a subsequently approved loan modification.

WHEREFORE, the Trustee respectfully requests an Order disallowing the Notice of Post-Petition Mortgage Fees, Expenses, and Charges dated 02/02/2017 (at Doc 17) and 05/19/2017 (at Claim 6), and further providing that the funds that would have been paid to the creditor on account of such charges be instead added to the Plan's unsecured pot.

RONDA J. WINNECOUR,
CHAPTER 13 TRUSTEE

Date: May 26, 2020

By: /s/ Owen W. Katz
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th of May 2020, I served one true and correct copy of the foregoing document along with Notice of Hearing with response deadline on the following parties in interest by United States first-class mail, postage prepaid, unless otherwise noted, addressed as follows:

Joseph S. Sisca, Esquire
Assistant U.S. Trustee
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David Ertel, CEO
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